Notice of Allowability	Application No.	Applicant(s)	
	10/828,604	DOERR ET AL.	
	Examiner	Art Unit	
	Ruth C. Rodriguez	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *communication filed on 18 August 2006*.

2. ☒ The allowed claim(s) is/are *1, 4-12, 14 and 16 that will be renumbered 1-12 respectively*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

For claim 1, Basinger discloses a latch assembly connecting a component to a rack. The assembly comprises a latch spring and a lever. The latch spring is attached to a component and movable between an engaged and a disengaged position. The latch spring is engaged with a catch that is attached to a rack in the engaged position. The latch spring is disengaged from the catch in the disengaged position. The lever is rotatably mounted to the component about an axis of rotation between a latched position and an unlatched position. Rotation of the lever from the latched position to the unlatched position moves the latch spring from the engaged position to the disengaged position in a direction parallel to the axis of rotation. The latch spring further comprises a fixed end attached to the component, a spring body extending from the fixed end at an angle to the component and an engaging end on the spring opposite to the fixed end with a disengaging surface. extending from and at an angle to the engaging end. The engaging end has an offset surface extending from and at an angle to the disengaging surface. The engaging end is operable to engage the catch. Basinger fails to disclose that the disengaging surface extends from and at an angle to the spring body and that the engaging end has an offset surface extending from and at an angle to the disengaging surface. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have the disengaging surface extending from and at angle to the spring body and the engaging end having an

offset surface extending from and at an angle to the disengaging surface instead of having the disengaging surface extending from the and at an angle away from the spring body and to have the engaging end having an offset surface extending from and at an angle away from the disengaging surface.

Regarding claim 12, Basinger discloses a method for interfacing a component with a rack. The method comprises: engaging a latch spring attached to the component with a catch attached to the rack; disengaging the latch spring from the catch by rotating a component mounted lever about an axis from a latched position to an unlatched position where the body of the latch spring urges the lever to the latched position. The lever moves the latch spring in a direction parallel to the axis and out of engagement with the catch; and sliding the component at least partially out of the rack. Basinger fails to disclose that a torsion spring urges the lever to the latched position and that the latch spring is disengaged by a paddle disposed on the lever that engages the disengaging surface of the latch spring in order to move the latch spring in a direction parallel to the axis and out of engagement with the catch. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have a torsion spring to bias the lever to the latched position instead of using the body of the latch spring to urge the lever to the latched position as disclosed by Basinger and to have a paddle that engages a disengaging surface of the latch spring to disengage the latch spring from the catch by moving the latch spring in a direction parallel to the axis and out of engagement with the catch instead of rotating the lever until the latch spring is disengaged from the catch as disclosed by Basinger.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beun (US 4,702,535), Takagi (US 5,510,957), Suh et al. (US 5,823,644), Collins et al. (US 5,868,261), James (US 5,860,302), Crisp et al. (US 6,637,847 B2), Basinger et al. (US 6,666,340 B2) and Son et al. (US 6,978,903 B2) are cited to show state of the art with respect to latch assemblies having some or most of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
August 31, 2006

ROBERT J. SANDY
PRIMARY EXAMINER